

REMARKS

In view of the following remarks, Applicant respectfully requests reconsideration and allowance of the subject application. Claims 1-7, 19-26, and 38-40 are original. Claims 8-18, 27-37, and 41-44 were previously canceled without prejudice. Claims 1-7, 19-26, and 38-40 are pending.

The §102 Rejections

Claims 1-5, 19-23, and 38-40 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Pat. No. 6,487,406 to Chang et al. ("Chang").

The §103 Rejections

Claims 6-7 and 24-25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Chang in view of U.S. Pat. No. 6,073,016 to Hulthen et al. ("Hulthen").

Applicant submits that the Office has failed to establish that Chang discloses each and every element of Claims 1-5, 19-23, and 38-40 and a *prima facie* case of obviousness in rejecting Claims 6-7 and 24-25. Before discussing the substance of the Office's rejections, however, sections entitled "The §102 Standard" and "The §103 Standard" are provided and will be used in addressing the Office's rejections. Following this section, a section entitled "The Chang Reference" is provided and describes Chang's disclosure, after which Applicant addresses the Office's grounds for rejecting the pending claims.

1 The §102 Standard

2 Anticipation is a legal term of art. Applicant notes that in order to provide a
3 valid finding of anticipation, several conditions must be met: (i) the reference must
4 include each and every element as set forth in the claim (*Verdegaal Bros. v. Union*
5 *Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987);
6 and see MPEP §2131); and (ii) the teachings of the reference cannot be modified
7 (see MPEP §706.02, stating that “No question of obviousness is present” in
8 conjunction with anticipation).

9
10 The §103 Standard

11 To establish a *prima facie* case of obviousness, three basic criteria *must* be
12 met. First, there must be some suggestion or motivation, either in the references
13 themselves or in the knowledge generally available to one of ordinary skill in the
14 art, to modify the reference or to combine reference teachings. *In re Jones*, 958
15 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992); *In re Fine*, 837 F.2d 1071, 5
16 USPQ2d 1596 (Fed. Cir. 1988). Second, there must be a reasonable expectation of
17 success. *In re Merck & Co., Inc.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).
18 Finally, the prior art reference (or references when combined) must teach or
19 suggest all the claim limitations. *In re Royka*, 490 F.2d 981, 180 USPQ 580
20 (CCPA 1974).

21 Hence, when patentability turns on the question of obviousness, the search
22 for and analysis of the prior art includes evidence relevant to the finding of
23 whether there is a teaching, motivation, or suggestion to select and combine or
24 modify the references relied on as evidence of obviousness. The need for
25 specificity pervades this authority. See, e.g., *In re Kotzab*, 217 F.3d 1365, 1371, 55

1 USPQ2d 1313, 1317 (Fed. Cir. 2000) ("particular findings must be made as to the
2 reason the skilled artisan, with no knowledge of the claimed invention, would have
3 selected these components for combination in the manner claimed").

4 5 The Chang Reference

6 Generally, Chang discloses a method and system for providing seamless
7 mobile IP connectivity between mobile stations (MS) connected to a PCS network
8 via base stations (BS) connected to base station switching centers (BSCs). Each
9 MS is assigned a permanent IP address and associated with a home subnet. When
10 the system detects that the MS is connected to a BSC outside of its home subnet,
11 the MS is assigned a care-of address (COA) to which IP data can be forwarded. IP
12 data from the MS is routed through a gateway router (GR). IP data directed to the
13 MS is directed to the MS's permanent IP address. If the MS is connected to a BSC
14 outside of its home subnet, the data traffic is forwarded to the MS's care-of
15 address. In sum, Chang discloses providing a temporary IP address to a mobile
16 system when out of its home subnet and then routing data from the mobile
17 system's permanent IP address to its temporary address. *See Chang, at Abstract.*

18 19 Argument

20 Applicant submits that the Office has failed to establish that Chang
21 discloses each and every element of Claims 1-5, 19-23, and 38-40.

22 For the Office's convenience, Applicant sets forth the language of
23 independent Claim 1.

1 Claim 1 recites a method for broadcasting an announcement signal,
2 comprising:

- 3 ○ broadcasting a network identifier signal that uniquely identifies a
4 computer network;
- 5 ○ broadcasting an authorizer signal that identifies an authorizer
6 network address on the computer network, the authorizer network
7 address being associated with an authorizer that is configured to
8 authorize mobile clients to utilize the computer network; and
- 9 ○ broadcasting a verifier signal that identifies a verifier network
10 address on the computer network, the verifier network address being
11 associated with a verifier that is configured to verify data packets
12 sent by mobile clients utilizing the computer network.

13
14 The Chang reference has not been shown to disclose each and every
15 element as set forth in Claim 1 as required by *Verdegaal Bros.*

16 For the Office's convenience, the Office's argument that Chang discloses
17 the elements of Claim 1 is:

18 As per claim 1, Chang et al teach a method for broadcasting
19 an announcement signal, comprising:

20 broadcasting a network identifier signal that uniquely
21 identifies a computer network (column 5, lines 40-60 and column
22 7, lines 7-17);

23 broadcasting an authorizer signal that identifies an
24 authorizer network address on the computer network, the
25 authorizer network address being associated with an authorizer that
is configured to authorize mobile clients to utilize the computer
network (column 5, lines 40-60 and column 7, lines 7-17); and

broadcasting a verifier signal that identifies a verifier
network address on the computer network, the verifier network
address being associated with a verifier that is configured to verify
data packets sent by mobile clients utilizing the computer network
(column 7, lines 7-17 and column 28-30).

Office Action, paragraph 4.

1 Chang does not have columns 28-30. For this reason, Applicant assumes
2 that the Office meant "lines 28-30" for column 7, rather than "column 28-30" as
3 recited above. The portions of Chang assumed to be relied on by the Office to
4 reject Claim 1 are:

5
6 In operation, system information broadcast by the PCS
7 network and received by each MS 18 includes a PCS registration
8 area identification and a BS identification. Therefore, according to
9 one aspect of the invention, when an MS 18 moves from one BS 16
10 to another, the MS 18 uses the data in the system information
11 broadcast to determine if it has crossed a PCS registration area or
12 not, and whether a PCS registration procedure must be performed. It
13 can be appreciated that frequent transmission of Mobile IP
14 registration parameters, such as a subnet mask, Agent
15 Advertisement, etc., may consume a large quantity of system
16 information bandwidth. According to a further aspect of the
17 invention, Mobile IP registration parameters are instead conveyed to
18 an MS 18 when a BSC 14 determines that an MS 18 has moved
19 between different subnets. Thus, the information is transmitted to the
20 MS only when it is specifically needed. Various MS registration
21 scenarios will now be discussed with further reference to the
22 example network configuration illustrated in FIG. 3 and the flow
23 diagrams of FIGS. 4 and 5.

16 *Chang, column 5, lines 40-60.*

18 Upon receiving the Agent Advertisement, the MS sends a
19 datagram (a Mobile IP Registration Request message) to the BSC
20 directed to the MS's HA. The datagram is a conventional LAN
21 registration message and includes the information provided to the
22 MS in the BSC's agent advertisement, (e.g., the IP addresses of the
23 MS, FA, HA, COA, and the lifetime). Upon receiving the datagram,
24 the BSC does not interpret the message, but instead forwards it to the
25 present subnet's FA. The FA determines the MS's HA and forwards
the Mobile IP Registration Request message to the HA via one or
more GRs and possibly the Internet.

Upon receiving the registration datagram, the HA
authenticates the MS. If the MS has just moved out of its home

1 subnet and into a foreign subnet, the HA sends a Gratuitous ARP to
2 all other nodes in the HA's subnet instructing them to associate the
3 HA's hardware address with the MS's IP address so that datagrams
4 destined for the MS may be intercepted by the HA and forwarded
5 appropriately.

6 *Chang, column 7, lines 7-17 and 28-34 (lines 31-34 for context).*

7 Preliminarily, the Office's rejection does not address with legally sufficient
8 specificity why Chang anticipates Claim 1. Instead, the Office simply repeats
9 language of Claim 1 followed by reference to a portion of Chang. For this reason
10 alone, the Office has not met its burden to show that each and every element of
11 Claim 1 is anticipated by Chang.

12 Also, this lack of specificity necessitates that Applicant argue against what
13 Applicant can only assume are the Office's arguments based on the portions cited
14 in the Action. As such, the following arguments are provided *arguendo* based on
15 Applicant's best assumptions.

16 The Office seems to rely on Chang's Agent Advertisement as disclosing the
17 claimed "authorizer signal" and that it "identifies an authorizer network address on
18 the computer network." Chang's Agent Advertisement "generally includes data
19 identifying the FA [Foreign Agent] of the new subnet, such as the FA's source
20 address and a COA [care-of address] to be used to direct data to the new FA."
21 *Chang, column 6, line 65 to column 7, line 6.* And thus, the Office seems also to
22 rely on Chang's Foreign Agent's source address being associated with the Foreign
23 Agent to disclose "the authorizer network address being associated with an
24 authorizer that is configured to authorize mobile clients to utilize the computer
25 network" as required by Claim 1.

1 Chang's Foreign Agent does not disclose "an authorizer that is configured
2 to authorize mobile clients to utilize the computer network" as required by Claim
3 1. Chang's Foreign Agent does not authorize Chang's mobile system to utilize the
4 computer network, it instead "determines the MS=s HA", which perhaps the
5 Office is confusing with "authorizing mobile clients to utilize the computer
6 network". Other than that, Chang's Foreign Agent acts to transfer packets to the
7 mobile system's temporary IP address, not "authorize" Chang's mobile system to
8 utilize a computer network.

9 The Office seems to rely on Chang's mobile system (MS) sending a
10 datagram to the base station switching center (BSC) that is directed to the MS's
11 Home Agent as anticipating part of Claim 1. *See Chang column 7, lines 7-17 and*
12 *28-30.* Chang discloses that his mobile system sends a datagram to the BSC and
13 that the BSC forwards it to the present subnet's FA, after which the FA forwards
14 to the HA. Chang also discloses that, on receiving the datagram from the FA, the
15 HA authenticates the MS. *Id.*

16 Claim 1, however, recites "broadcasting a verifier signal that identifies a
17 verifier network address on the computer network, the verifier network address
18 being associated with a verifier that is configured to verify data packets sent by
19 mobile clients utilizing the computer network." Claim 1 requires broadcasting the
20 verifier signal and the authorizer signal as part of "an announcement signal." But
21 Chang discloses different signals coming from different sources. Chang's Agent
22 Advertisement signal message is sent from the BSC to the MS. *Chang, column 6,*
23 *line 65 to column 7, line 6.* Chang's datagram, on which the Office seems to rely,
24 is sent by Chang's mobile system to the BSC. *Chang, column 7, lines 7-17 and*
25 *28-30.* If Chang's BSC broadcasts one message to the MS and the MS broadcasts

1 another to the BSC, then these two messages cannot be part of "an announcement
2 signal" as required by Claim 1.

3 For at least these reasons, the Office has not shown that each and every
4 element of Claim 1 is anticipated by Chang.

5 Claims 2-5 depend from Claim 1 and are allowable as depending from an
6 allowable base claim. These claims are also allowable for their own recited
7 features that, in combination with those recited in Claim 1, are neither disclosed
8 nor suggested in references of record, either singly or in combination with one
9 another.

10 The Office's argument for rejecting Claims 6-7 under 103 does not correct
11 the Office's deficiencies in its rejection of Claim 1, on which Claims 6-7 depend.
12 For at least this reason, Claims 6-7 are allowable as depending from an allowable
13 base claim. Claims 6-7 are also allowable for their own recited features that, in
14 combination with those recited in Claim 1, are neither disclosed nor suggested in
15 references of record, either singly or in combination with one another.

1 *Claims 19-26*

2 For the Office's convenience, Applicant sets forth the language of
3 independent Claim 19.

4 Claim 19 recites one or more computer-readable media containing
5 computer-executable instructions that, when executed on a computer, perform the
following steps:

- 6 ○ transmitting a network identifier signal that identifies an associated
network;
- 7 ○ transmitting an authorizer signal that identifies an authorizer on the
8 network, the authorizer being configured to authorize client access to
the network; and
- 9 ○ transmitting a verifier signal that identifies a verifier, the verifier
10 being configured to verify that data packets transmitted to the
network are transmitted from clients that have been authorized to
11 access the network.

12 Applicant submits that the Chang reference has not been shown to disclose
13 each and every element as set forth in Claim 19 as required by *Verdegaal Bros.*

14 For the Office's convenience, the Office's argument that Chang discloses
15 the elements of Claim 19 is:

16
17 As per claims 19-23, these claims contain similar limitations as
18 claims 1-5 above, therefore are rejected under the same rationale.

19 *Office Action, paragraph 9.*

20
21 The portions of Chang assumed to be relied on by the Office to reject Claim
22 1 are set forth for Claim 1 above.

23 For at least the reasons set forth in the argument relating to Claim 1 above,
24 the Office has not shown that each and every element of Claim 19 is anticipated by
25 Chang.

1 Claims 20-23 depend from Claim 19 and are allowable as depending from
2 an allowable base claim. These claims are also allowable for their own recited
3 features that, in combination with those recited in Claim 19, are neither disclosed
4 nor suggested in references of record, either singly or in combination with one
5 another.

6 The Office's argument for rejecting Claims 24-26 under 103 does not
7 correct the Office's deficiencies in its rejection of Claim 19, on which Claims 24-
8 26 depend. For at least this reason, Claims 24-26 are allowable as depending from
9 an allowable base claim. Claims 24-26 are also allowable for their own recited
10 features that, in combination with those recited in Claim 19, are neither disclosed
11 nor suggested in references of record, either singly or in combination with one
12 another.

13
14 *Claims 38-40*

15 For the Office's convenience, Applicant sets forth the language of
16 independent Claim 38.

17 Claim 38 recites a system, comprising:

- 18 ○ a network identifier;
- 19 ○ an authorizer identifier;
- 20 ○ a verifier identifier;
- 21 ○ a signal generator configured to generate a signal that communicates
22 the network identifier, the authorizer identifier and the verifier
23 identifier.

24 The Chang reference has not been shown to disclose each and every
25 element as set forth in Claim 38 as required by *Verdegaal Bros.*

1 For the Office's convenience, the Office's argument that Chang discloses
2 the elements of Claim 38 is:

3
4 As per claim 38, Chang et al teach a system, comprising:
5 a network identifier; an authorizer identifier; a verifier identifier
6 (column 7, lines 10-15 and column 5, lines 40-60);
7 a signal generator configured to generate a signal that
8 communicates the network identifier, the authorizer identifier and
9 the verifier identifier (column 5, lines 40-55 and column 8, lines
10 40-55).

11 *Office Action, paragraph 10.*

12 As set forth in the argument for Claim 1 above, Chang does not disclose an
13 authorizer identifier. For at least this reason, the Office has not shown that each
14 and every element of Claim 38 is anticipated by Chang.

15 Claims 39-40 depend from Claim 38 and are allowable as depending from
16 an allowable base claim. These claims are also allowable for their own recited
17 features that, in combination with those recited in Claim 38, are neither disclosed
18 nor suggested in references of record, either singly or in combination with one
19 another.
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1 **Conclusion**

2 Applicant respectfully submits that all of the claims are in condition for
3 allowance.

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5 Respectfully Submitted,

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